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NEL-010

# Patent Application

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

TRAYNOR et al.

Group Art Unit: 2641

Application No.: 09/900,912

Examiner: unassigned

Filed: July 10, 2001

For: "SPEECH ACTIVATED NETWORK APPLIANCE SYSTEM"

### INFORMATION DISCLOSURE STATEMENT

RECEIVED  
JAN 02 2002  
Technology Center 2600

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56.

- ☒ A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.
- ☐ As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. \_\_\_\_\_, filed \_\_\_\_\_ of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

#### Concise Explanation of Relevancy of the Document

(Fill out if no English translation, partial translation or English abstract is available)

- ☐ Any document having neither English translation nor English abstract has been cited in a communication from a foreign patent office in a counterpart foreign application or its related application, a copy of which is attached hereto, accompanied by English translation of at least relevant part, if it is not

in English. English translation of the document is not readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted document (37 C.F.R. §1.98 and MPEP §609).

☐ The relevance of a document having no English translation or abstract is explained in the parent application above.

☐ \_\_\_\_\_.

☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date or within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in compliance with 37 C.F.R. §1.97(b), OR is being filed concurrent with filing of the Continued Prosecution Application (CPA) or the Request for Continued Examination (RCE). No fee is required (37 C.F.R. §1.97(b)).

☐ 2. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the present application. No fee is required. If, however, a first Office Action on the merits is issued, no fee is required in view of the statement below (37 C.F.R. §1.97(b)).

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

Further, if a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application has been mailed prior to filing of this Information Disclosure Statement, the Patent Office is authorized to charge \$180.00 under 37 CFR §§ 1.97(d)(2) and 1.17(p) in view of the statement above under 37 CFR §1.97(e). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

☒ 3. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the present application. No fee is required (37 C.F.R. §1.97(b)). If, however, a first Office Action on the merits is issued,

please charge deposit account 18-0013 in the amount of \$180.00 for payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

- ☐ 4. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application. No fee is required in view of the statement below (37 C.F.R. §1.97(c)).

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

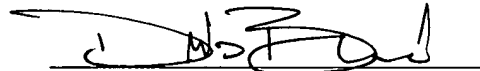
If, however, a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application has been mailed prior to filing of this Information Disclosure Statement (37 C.F.R. §1.97(d)). The Patent Office is authorized to charge \$180.00 under 37 CFR §§ 1.97(d)(2) and 1.17(p) in view of the statement above under 37 CFR §1.97(e).

- ☐ 5. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application (37 C.F.R. §1.97(c)). Please charge deposit account 18-0013 in the amount of \$180.00 for payment of the fee under 37 CFR §1.17(p).

- ☐ 6. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application, but before payment of the Issue Fee (37 C.F.R. §1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. The Patent Office is authorized to charge \$180.00 under 37 CFR §§ 1.97(d)(2) and 1.17(p) in view of the statement below.

- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☒ 7. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

Respectfully submitted,



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Date: December 28, 2001

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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

NEL-010

09/900.912

## LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

TRAYNOR et al.

FILING DATE

JULY 10, 2001

GROUP

2641

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,465,291	11/95	Barrus et al.			
	AB	6,026,291	02/00	Hall et al.			
	AC						
	AD						
	AE						
	AF						

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO PART.		
	AG	2,293,786	12/98	CANADA					
	AH								
	AI								
	AJ								
	AK								
	AL								

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	
	AN	
	AO	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.